

In the United States Court of Federal Claims

No. 19-1286

Filed: October 16, 2019

LEVI MCRAE LUGINBYHL,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On September 6, 2019, the Court issued an order denying plaintiff's Motion for Leave to Proceed *in forma pauperis* and ordering plaintiff to pay the \$400 filing fee within thirty days or plaintiff's Complaint would be dismissed for failure to prosecute. Plaintiff has not paid the filing fee. Accordingly, pursuant to Rule 41(b) of the Rules of the Court of Federal Claims, plaintiff's Complaint is hereby **DISMISSED** without prejudice for failure to pay the filing fee.

The Court further reminds plaintiff that plaintiff is three-strikes barred under 28 U.S.C. § 1915(g) for filing claims that are frivolous, malicious, or that fail to state a claim upon which relief can be granted. As such, the Court has no choice but to deny any future motions for leave to proceed *in forma pauperis*. The Clerk's Office is directed to enter judgment consistent with this Order.

IT IS SO ORDERED.



Loren A. Smith
Senior Judge